



Town of Southern Shores
5375 N. Virginia Dare Trail, Southern Shores, NC 27949
Phone 252-261-2394 / Fax 252-255-0876
www.southernshores-nc.gov

Council Meeting
October 2, 2012
7:00 p.m.-Pitts Center

Mayor Denny called the meeting to order at 7:00 p.m. in the Pitts Center with the following Council Members present: Mayor Hal Denny, Mayor pro tem Jodi Hess, Council Members George Kowalski, David Sanders and Larry Lawhon. Also present: Town Manager Peter Rascoe, Town Attorney Ben Gallop and Town Clerk Carrie Gordin.

Mayor Denny led the Pledge of Allegiance and held a Moment of Silence for the families of residents Joanne Boone, Hank Kelly and Dan Shields

Mayor Denny announced that the meeting tonight is being video-taped as a test with plans to have the meetings taped and aired on the Local Government Channel 20 in the near future.

SPECIAL RECOGNITION OF OFFICER MANN-CHIEF KOLE

Chief Kole acknowledged Officer Tracy Mann with a Letter of Commendation. He stated on June 9, 2012 Officer Mann answered a mutual aid call from Kitty Hawk and administered the AED Defibrillator which saved a man's life. He stated it is an honor and a privilege to recognize her for her dedication. He noted that in 2011 Officer Mann saved another life.

Mayor Denny thanked Officer Mann on behalf of Council and stated she is a noted officer throughout the Outer Banks.

APPROVAL OF AGENDA

Mayor pro tem Hess moved to approve the agenda as presented. Council Member Kowalski seconded which passed unanimously.

PRESENTATIONS

Update on Dare County's Comprehensive Transportation Plan- Steve Lambert, Transportation Coordinator for the Albemarle Commission

Mr. Lambert stated NCDOT Transportation Planning Branch began a Comprehensive Transportation Plan (CTP) Study for Dare County in August 2011. The study is intended to produce a long range planning document that will assist local governments and its representatives in making long term transportation decisions. The plan is a joint effort between Dare County, Town of Duck, Town of Southern Shores, Town of Kitty Hawk, Town of Kill Devil Hills, Town of Nags Head, Town of Manteo, Albemarle Rural Planning Organization (RPO), and NCDOT.

Following his report on trend line analysis traffic counts he requested Council approve a specific portion of the traffic count compiled to be used for updating the plan.

Mayor Denny stated Council would need additional information before considering the request and stated this item would be placed on the October 16 agenda for discussion.

Council Member Sanders acknowledging Mayor pro tem Hess' service on the Government/Educational Access Channels Committee

Council Member Sanders recognized Mayor pro tem Hess on behalf of the Government Access Channel Committee for her service on the committee for the past nine years by presenting her with a certificate of appreciation. Council Member Sanders was recently appointed to the committee as the Town's representative.

Mayor Denny thanked them for representing the Town.

Mayor pro tem Hess stated it was a great committee to work with and participate in their many accomplishments.

CONSENT AGENDA

Resolution 2012-10-01 Big Sweep Day

Resolution 2012-10-03 Supporting Continued Funding for the Mid-Currituck Bridge

Mayor pro tem Hess moved to approve the consent agenda as presented. Council Member Lawhon seconded which passed unanimously.

[Clerk's Note: A copy of Resolution 2012-10-01 and Resolution 2012-10-03 are hereby attached as Exhibit A].

APPROVAL OF MINUTES-September 4, 2012

Mayor pro tem Hess moved to approve minutes as presented. Council Member Sanders seconded which passed unanimously.

STAFF REPORTS

Town Planner

Wes Haskett, Town Planner, presented the monthly report

[Clerk's Note: A copy of the monthly Planner's Report is hereby attached as Exhibit B].

Police Department

Chief Kole presented monthly report.

Southern Shores Volunteer Fire Department

Chief Harvey presented monthly report.

REPORTS FROM BOARDS, COMMITTEES, AND ASSOCIATIONS

Town Planning Board

Sam Williams, Chairman, reported the planning board has reviewed the outdoor lighting (ZTA 12-02) amendment but they are not ready to recommend it to Council.

He reported at the last meeting the board re-appointed Sam Williams, chairman and Mike Florez, vice chairman to the board subject to Council's approval.

Council Member Lawhon moved to approve the appointments as presented. Council Member Sanders seconded which passed unanimously.

Southern Shores Civic Association

Ross Mitchell, president, announced the General Membership meeting is October 8th at 7:00 p.m. with Police Chief Kole speaking on the Low Speed Vehicles vs. Golf carts. Also voting on the 2013 budget will be held.

Chicahauk Property Owner's Association

Leo Holland reported the CPOA membership meeting and picnic was held last Saturday. He thanked the Mayor for attending. He also thanked Council for making the funds available and identifying the streets in Chicahauk (Gravey Pond, Deer Path and Spindrift) for infrastructure improvements.

GENERAL PUBLIC COMMENT

Robert Palombo, a member of the Build the Bridge/Preserve Our Roads committee supporting the construction of the Mid-Currituck Bridge announced there is a scheduled meeting in Raleigh for Friday, October 5 at 9:00 a.m. This will be a showdown of legislative power to determine if "gap funding" will remain in the state budget to complete the bridge construction. He stated if the funds do not remain the bridge will not be built. He asked everyone to contact the legislators to show your support and that a group from the area will be attending the meeting in Raleigh.

OLD BUSINESS-None

NEW BUSINESS

Budget Amendment FY 2012-2013 #1

Mayor pro tem Hess moved to approve Budget Amendment #1 as presented. Council Member Kowalski seconded which passed unanimously.

Resolution 2012-10-02 Accepting Gift Deed of Easement

Mayor Denny stated this resolution is to allow the Town to install a wider cul-de-sac to accommodate trash and recycle trucks and emergency vehicles by accepting this deed of easement. He stated the property owners at 39 Honeysuckle Lane have agreed to deed a portion of their property for this use.

He stated there are other areas where easements are needed and he would like to be able to negotiate with those property owners for easements also.

Council Member Kowalski moved to approve the resolution as presented. Mayor Denny seconded which passed unanimously.

[Clerk's Note: A copy of Budget Amendment #1 is hereby attached as Exhibit C].

[Clerk's Note: A copy of Resolution 2012-10-02 is hereby attached as Exhibit D].

OTHER ITEMS

Town Manager

The Town Manager reported on several issues:

- Waste Management, new recycle service provider, began picking up town recyclables Monday October 6 and will pick up every Monday.
- Large Item Pick-up will be held on October 19. The contractor will also pick up bagged leaves on this day.
- Chicahauk Trail Road Improvement Project punch list is being finalized so the contract can be released.
- Fall Road Project #1 (Gravey Pond Lane, Deer Path Lane and a portion of Spindrift Trail) is on-going with the removal of trees.
- The Town FY 2011-2012 Audit will be presented at the October 16 Council meeting (9:00 a.m.)
- The draft amended cemetery rules will also be presented to Council at the October 16 meeting.
- Conversation between the contractor and NCDOT is on-going for the Tall Pine Bridge Replacement cost.
- Update on Phase 2 of the canal dredging project-Efforts between the canal dredging project manager and he have met with property owners in securing spoils sites have been positive as well as discussions with dredging contractors.

Council Member Lawhon asked if a representative from Waste Management could attend a Council meeting to introduce their company as well as to explain the recycling process they use.

The Town Manager stated he would look into having someone attend a meeting.

Council Member Kowalski asked if DOT has responded to the Town regarding the dent in the Juniper/Trinitie Trails Bridge. The Town Manager stated DOT is monitoring the bridge and are recommending at this time to wait until after the winter to see what happens. They will be installing tie-backs.

Town Attorney-None

Mayor

Mayor Denny stated that Chief Kole and he attended a Domestic Violence Awareness symposium recognizing October as being Domestic Violence Awareness month.

Council

Council Member Sanders stated riding in the fire truck on the new Chicahauk Trail is a very smooth ride compared to many previous rides.


He also asked why the TowneBank of Currituck replaced the asphalt multi-use path with concrete. The Town Manager stated that is property of the TowneBank.

The Town Planner stated the concrete path was shown on the site plan and that the Public Works supervisor worked with the building contractor on this change.

Mayor pro tem Hess stated the redesign of the interior of Town Hall looks very professional.

Hearing no other business Council Member Lawhon moved to adjourn the meeting at 7:50 p.m.
Council Member Sanders seconded which passed unanimously.

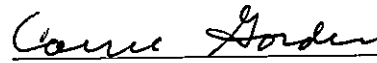
ATTEST:



Mayor Denny



Respectfully submitted:



Carrie Gordin

Exhibit A

**A Resolution of Town Council of the Town of Southern Shores
Declaring October 27, 2012 as Town of Southern Shores
Big Sweep 2012 Day**

Resolution 2012-10-01

WHEREAS, The Town of Southern Shores is rich in natural resources and beauty; and

WHEREAS, water is a basic and essential need for all life; and,

WHEREAS, trash fouls our waterways as well as our landscapes; and,

WHEREAS, every citizen should contribute to keeping our environment clean and healthy by working together to preserve clean water and the natural beauty of our surroundings;

WHEREAS, North Carolina Big Sweep is a statewide community effort to retrieve trash from North Carolina's waterways and landscapes;

WHEREAS, during its first twenty five years, North Carolina Big Sweep volunteers have retrieved over 10 million pounds of debris from our environment, including tires, white goods and other solid waste;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of The Town of Southern Shores, North Carolina, meeting on October 2, 2012, does hereby declare October 27, 2012 as Town of Southern Shores BIG SWEEP 2012 DAY in DARE County, and does further hereby urge every citizen to do his or her part to restore the beauty and function of our lakes and streams by volunteering to participate in the annual Big Sweep event.

Mayor Hal Denny

ATTEST:

Town Clerk

Whereas the Town of Southern Shores in Dare County is bisected by North Carolina Highway 12 which is the only route currently available for motor vehicles traveling to and from the Currituck County Outer Banks; and

Whereas the Town of Southern Shores (as evidenced by the attached resolutions previously adopted) has continued to support the efforts of the State of North Carolina, particularly the North Carolina General Assembly, the North Carolina Department of Transportation, and the North Carolina Turnpike Authority, to plan, fund, and construct a motor vehicle bridge over the Currituck Sound from mainland Currituck County to the Currituck County Outer Banks; and

Whereas the existence of a vehicle bridge over the Currituck Sound connecting the Currituck County Outer Banks to the Currituck County mainland will provide a safer route for transiting motor vehicle traffic and a more efficient route for motor vehicles providing services to citizens and emergency evacuations from the Currituck County Outer Banks;

Now Therefore be it resolved that as a communication to the Joint Legislative Transportation Oversight Committee of the North Carolina General Assembly, the Town of Southern Shores, by and through its Town Council duly elected by its citizens, does respectfully urge the legislative members of the Joint Legislative Transportation Oversight Committee in making findings and recommendations to the House and Senate of the 2013 General Assembly to recommend continued funding of gap fund appropriations necessary for the Mid-Currituck Bridge Project and continued support of all other resources necessary for the completion of this project.

This the 2nd day of October, 2012.

Mayor

(Seal)

Attest: Town Clerk

Exhibit B**10-2-12 TC Report
Town Planner****Month of September****1. Permitting and Inspections for September, 2012**

- 4 Zoning Permits were issued.
- 20 building permits were issued: 2 new single-family dwellings, 2 additions, and 16 others.
- 96 building inspections were conducted (53 job sites).
- Total amount of fees collected in September was \$12,234.00.

Exhibit C**FY 2012-2013 Budget Amendment****Town of Southern Shores
Budget Amendment Number # 1**

| Streets Increases | | | Streets Decreases | | |
|------------------------------|----------------------------|------------------|------------------------------|--------------------|---------------|
| <u>Account Number</u> | <u>Description</u> | <u>Amount</u> | <u>Account Number</u> | <u>Description</u> | <u>Amount</u> |
| 40-39909 | <u>Revenues</u> | | | | |
| | Undesignated FB | \$402,120 | | | |
| | Total | \$402,120 | | | |
| | | - | | | |
| 57-50942 | <u>Expenditures</u> | | | | |
| | Trinite Bridge | \$26,170 | | | |
| | Engineering | \$60,306 | | | |
| | Widgeon Court | \$47,162 | | | |
| | Chicahauk Trail | \$268,482 | | | |
| | Total | \$402,120 | | | |
| | | | | | |
| | | \$0 | | | \$0 |
| | | | | | |

Explanation: To reappropriate projects that were not completed 6/30/12

Recommended By:

J. Peter Rascoe, III, Town Manager

Approved By:

Hal Denny, Mayor

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Date

Exhibit D

Resolution 2012-10-02

Resolution to Accept Gift Deed of Easement

Whereas by Gift Deed of Easement dated September 5, 2012, Edward Davenport, Jr. and wife Martha F. Davenport, did grant to the Town of Southern Shores, NC a permanent and perpetual easement for the installation, maintenance and replacement of streets, sidewalks, utility lines and utility pipes, and related equipment and facilities, under, on, and over a certain portion of their property being Lot 41, Block 160, Southern Shores, as shown on a survey plat recorded in Map Book 6, Page 51 of the Dare County Public Registry; and

Whereas said Gift Deed of Easement has been recorded on September 19, 2012 in Deed Book 1908, page 256 of the Dare County Public Registry; and

Whereas that portion of Lot 41, Block 160 Southern Shores subject to the Gift Deed of Easement is described therein and is further described on a survey entitled "Right of Way Easement Plat for Honeysuckle Lane" prepared by Paul J. Toti, P.L.S., Surveyor's Certificate dated August 14, 2012, recorded in Plat Cabinet I, Slide 35 of the Dare County Public Registry; and

Whereas it is the intent of the Town of Southern Shores to incorporate the area granted by the Gift Deed of Easement into the Town's Municipal Street System as that term is defined in NCGS §136-66.1(2); and

Whereas the Town recognizes that by acceptance of the area granted by the Gift Deed of Easement into the Municipal Street System, pursuant to NCGS §160A-296 the Town shall have general authority and control over the area, including the authority and duty to maintain such area.

Now Therefore, the Town of Southern Shores, by and through its governing body, the Town Council, does accept the Gift Deed of Easement granted by Edward Davenport, Jr. and wife Martha F. Davenport dated September 5, 2012 and recorded in Deed Book 1908, Page 51 of the Dare County Public Registry; Further and consistent with NCGS §136-66.1(2) and NCGS §160A-296, the Town of Southern Shores does recognize its responsibility and duty to maintain such easement as a part of the Town's Municipal Street System.

Enacted by the Town Council of the Town of Southern Shores, NC this 2nd day of October 2012.

Mayor

Attest: _____

Town Clerk

(seal)